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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,284	03/08/2005	Peter Anthes	3235	2529

7590 11/24/2006

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103 East Neck Road
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EXAMINER

GRAVINI, STEPHEN MICHAEL

ART UNIT	PAPER NUMBER
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3749

DATE MAILED: 11/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/527,284

Applicant(s)

ANTHES ET AL.

Examiner

Stephen Gravini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1-2 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Choi (US 5,155,925). Choi is construed to disclose the claimed invention comprising:

a power supply independent hot air dryer device **1** for generating a hot air flow in which the heat is generated by a catalytic heating element **6** that is supplied with a liquid fuel from a fuel reservoir **19** and that the hot air flow is generated by an electric blower **12**, wherein the hot air dryer is provided with a fuel cell **17**, wherein the fuel cell supplies the blower with electrical energy, and wherein the reservoir communicates via a valve **9** or **10** with the fuel cell and the heating element for jointly supplying the fuel cell and the heating element them with the liquid fuel as shown in figure 3.

Claim Rejections - 35 USC § 103

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Choi in view of Levin et al. (US 4,800,654). Choi is construed to disclose the claimed invention, as rejected above, except for the claimed fuel cell supplies not only the blower but also an electronic control unit, and selectively other electric components as well with

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electrical energy. Levin, another hot air generation flow device, is construed to disclose a fuel cell supplies not only the blower but also an electronic control unit, and selectively other electric components as well with electrical energy at column 4 line 47 through column 5 line 15. It would have been obvious to one skilled in the art to combine the teachings of Choi with the fuel cell supplies not only the blower but also an electronic control unit, and selectively other electric components as well with electrical energy, construed disclosed in Levin, for the purpose of supplying power to components.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Choi in view of Chang et al. (US 2003/0150126). Choi is construed to disclose the claimed invention, as rejected above, except for the claimed transparent material viewing port. Chang, another hot air generation flow device, is construed to disclose a transparent material viewing port at published paragraph [0037]. It would have been obvious to one skilled in the art to combine the teachings of Choi with the transparent material viewing port, construed disclosed in Chang, for the purpose permitting a user to determine an amount of substance remaining.

Response to Arguments

Applicant's arguments filed October 10, 2006 have been fully considered but they are not persuasive.

anticipation

Applicants submit that claim 1 as amended defines a patentably distinct set of features that is not disclosed in primary reference to Choi. Applicants assert that Choi fails to disclose a hot air dryer, in which a reservoir for the liquid fuel communicates via

a valve with the fuel cell and the heating element for jointly supplying them with the liquid fuel. Applicants furthermore submit that Choi is not a proper reference under 35 U.S.C. 102 pursuant to the guidelines set forth in the last paragraph of MPEP section 2131, where it is stated that "a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference", and that "the identical invention must be shown in as complete detail as is contained in the claim".

With respect to applicants first submission, reservoir **3** of liquefied petroleum gas communicates via a valve **9** or **10** with the fuel cell **17** and heating element **6**, as shown in figure 3, for jointly supplying them with liquid fuel. In response to applicants second submission, each element is expressly disclosed in a single primary reference Choi which is construed to disclose the identical invention in as complete detail as is contained in the claim.

obviousness

The obviousness rejections are construed as being proper and maintained in light of not traversal of that rejection by applicants.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Josiah C. Cocks can be reached on 571 272 4874. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMG
November 15, 2006

